



OMAR T. MOHAMMEDI, ESQ.
DIRECT DIAL: (212) 725-3846 x101
EMAIL: OMOHAMMEDI@OTMLAW.COM

ADMITTED: NEW YORK, EIGHTH CIRCUIT
SECOND CIRCUIT,
US COURT ON INTERNATIONAL TRADE

November 27, 2024

VIA ECF

The Honorable Sarah Netburn
Magistrate Judge, United States District Court
Thurgood Marshall U.S. Courthouse
40 Foley Square, Room 219
New York, NY 10007

**Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570
GBD-SN**

Dear Judge Netburn:

Defendants World Assembly of Muslim Youth and World Assembly of Muslim Youth-International (USA) (“WAMY”), write regarding the Plaintiffs’ Executive Committees (“PECs”) letter filed on November 26, 2024. (ECF 10560). WAMY respectfully requests permission to file a reply to address new issues raised in PECs response letter. WAMY also asks permission to address the claimed “multiple indicia consistent with the allegations” (837 in all) which PECs held back and deliberately did not identify until their November 26, 2024 letter. WAMY would like to file this reply by December 13, 2024.

First, PECs raise a number of new issues in their most recent filing. They contend that the investigation and inquiry contemplated by the Court’s Order of October 11, 2024 (ECF. No. 10421) are no substitute for the “adversarial system or for an independent inquiry.” (ECF 10560 at p. 2). They contend that the language used in the letter from outside counsel setting forth the separate investigations conducted by WAMY and Baker Tilly “dodges any finding” and, in sum, should not be considered by the Court as the investigations were conducted at the behest of WAMY and Baker Tilly. (Id. at pp. 2-3). PECs engaged in an egregious, personal, and disparate treatment fashion against one of WAMY’s lawyers, Omar Mohammedi. They accuse him of being “prone to tangents” and suggesting WAMY’s factual assertions, made as an officer of the court, should be dismissed as “blanket denials and assertions” of an interested party. (Id. at p. 3). PECs also assert that the entire investigations conducted by WAMY and Baker Tilly were inadequate and do not comply with the Court’s Order. (Id. at pp. 4-6).

PECs have enlarged their application beyond the allegations letter. WAMY’s counsel did not have an opportunity to respond to these new issues. Further, counsel has had no opportunity to defend himself. WAMY hopes for the opportunity to address these

new issues, correct many misstatements of the record, and respond to egregious and targeted personal attacks against one of WAMY's counsel which should raise a serious issue before this Court.

Second, PECs' interpretation of the Marks' deposition video is outrageous, fantastical, and false. WAMY contends that PECs manipulate the evidence to create their own biased and self-interested narrative by providing screen shots of Marks without providing the Court the context and accurate description of what was actually occurring in the deposition room at the time. Among other many personal attacks against Mr. Mohammedi, they suggest without foundation he was part of a group supplying Marks with answers to pending questions.

PECs now submit, for the first time, 837 screen captures that they contend support the allegation that Marks was being given answers to pending questions at his deposition. (Id. at pp. 7-10, fns 3-18). Marcus Asner requested that PECs identify the instances in the Marks deposition video that PECs believed support the allegations of wrongdoing. (ECF 10529-1). PECs refused to do so. (ECF 10529-2). Instead, PECs tactic is to sandbag WAMY with the claimed "multiple indicia" in their response leaving WAMY no opportunity to respond. This tactic is clearly and grossly unfair.

To address this unfair sandbagging tactic as well as the host of new issues and misleading arguments PECs raise in their response, WAMY requests permission to file a reply to PECs letter of November 26, 2024, by December 13, 2024.

Thank you for your consideration in this matter.

Respectfully Submitted,

/s/ Omar Mohammedi

Omar Mohammedi

/s/ Frederick Goetz

Frederick Goetz